



**LEGAL DEPARTMENT**  
**200 South Third Street**  
**Yakima, Washington 98901-2830**

## **Memorandum of Understanding**

WHEREAS, **Yakima Police Department, City of Yakima Prosecution Division, Yakima County Prosecuting Attorney's Office, Yakima County Probation Department and Yakima YWCA** have come together to collaborate and to make an application for the **Firearms Technical Assistance Project Pilot Sites Initiative** grant; and

WHEREAS, the partners listed below have agreed to enter into a collaborative agreement in which the **Yakima Police Department** will be the lead agency and named applicant and the other agencies will be partners in this application; and

WHEREAS, the partners herein desire to enter into a Memorandum of Understanding setting forth the services to be provided by the collaborative; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to the Office on Violence Against Women on or before **September 22, 2021**;

### ***I) Description of Partner Agencies***

The **City of Yakima Prosecution Division** (within the City of Yakima Legal Department) prosecutes all misdemeanor domestic violence-related crimes, including intimate partner violence, for Yakima Police Department.

The **Yakima County Prosecuting Attorney's Office** prosecutes all felony domestic violence-related crimes, including intimate partner violence, for Yakima Police Department.

The **Yakima County Probation Department** handles all persons receiving probation for convictions of domestic violence-related crimes, including intimate partner violence, for Yakima Police Department.

The **YWCA of Yakima** provides services to victims of domestic violence-related crimes, including intimate partner violence, for Yakima Police Department.

### ***II) History of Relationship***

The Yakima Police Department (YPD) has worked closely with the Yakima Legal Department's Prosecution Division (City Attorney), the Yakima County Prosecuting Attorney's Office (County Prosecutor), and the Yakima County Probation Department (Probation) for decades on felony and misdemeanor crime cases via the traditional criminal justice system. The YWCA and YPD

have worked together for many years providing trainings for law enforcement recruits on domestic violence, and working in conjunction with the other law enforcement agencies, courts and prosecutors to develop a streamlined way for collecting information across Yakima County. Additionally, YWCA works with the criminal justice partners assisting victims on their cases, from the initial crime through the court process.

Over the last six months, individuals from each of these partner agencies have come together as part of a domestic violence workgroup. The goal of the workgroup is to ultimately reduce the rate of domestic violence victimization in Yakima via evidence-based policies, training and awareness and collaborative decision-making based on data and analysis. Through monthly meetings, and a special workshop on data availability and integration, the working group partners have begun to think about domestic violence crime jointly instead of in the traditional silos. In addition to the meetings, the DV Workgroup partners are regularly meeting and communicating regarding cases and policies to best serve the victims. Using evidence-based indicators across agencies will allow the partners to better assess the risk of domestic and dating violence homicide and prioritize dangerous, or potentially lethal, perpetrators.

### ***III) Development of Application***

YPD was made aware of this grant opportunity by the US Attorney's Office for the Eastern District of Washington as well as the Spokane Police Department. YPD reached out to our partners from the DV Working Group to find out if each would be interested in being a partner, and all were a resounding yes. In developing the proposal for the grant, each partner brought ideas to the table about the goals and objectives of the project, their roles and funding needs, and implementation ideas. All partners contributed content as well as reviewed and edited the application.

### ***IV) Roles and Responsibilities***

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:

- 1) **Yakima Police Department** will provide **enhanced domestic violence-related call response and crime investigation and a dedicated detective** to victims of domestic violence and dating violence including: responding to calls as a high priority; doing a thorough crime report and investigation and arresting suspects when there is probable cause. YPD patrol officers will complete a supplemental report to the crime report taken for all other crimes and detectives will track cases and collect information as a supplement to their investigation. An interactive dashboard will be developed to share data across the partner agencies. Lieutenant Chad Janis will be the lead representative for Yakima Police Department.
- 2) **City of Yakima Prosecution Division** will provide **enhanced prosecution of misdemeanor domestic violence offenses, 2 dedicated prosecutors and a domestic violence advocate** to victims of domestic violence and dating violence including: prosecuting offenses such as assault in the fourth degree, violation of domestic violence no contact orders, domestic violence malicious mischief in the third degree, interfering with the reporting of domestic violence, domestic violence harassment, and domestic violence stalking; committing resources to forming a specialized unit focused on domestic violence; focusing on prohibiting offenders who possess firearms during the case; and enhancing prosecution efforts. The unit staff will receive specialized training and handle a reduced caseload so that they are able to dedicate more time per case. The Prosecution Division

currently participates with partners in case staffing calls and coordinates efforts with partners to increase victim safety and offender accountability. Grant funding would be used to: monitor compliance with the court order should a defendant fail to surrender or inaccurately report the access to firearms; inform victims of the defendant's failure to surrender weapons and partner with YPD to enforce court orders. Follow up would enhance victim safety and increase defendant accountability. Defendants who violate the court order prohibiting weapons would be prosecuted by our partner, the Yakima County Prosecutor. Cynthia Martinez, Senior Assistant City Attorney, will be the lead representative for the Yakima Prosecution Division.

- 3) **Yakima County Prosecuting Attorney's Office** will provide **enhanced prosecution of felony domestic violence offenses, a dedicated deputy prosecuting attorney and a victim/witness representative** to victims of domestic violence and dating violence including: accelerate the charging decision by increasing the determination of felony vs. misdemeanor cases as soon as possible after the crime occurs; focusing specifically on domestic violence offenders who possess firearms during these crimes; and the domestic violence attorney and victim/witness representative identifying and working with the victims of all domestic violence-related crimes, especially as it relates to violations of court orders prohibiting firearms, harassment and violations of No Contact Orders. An additional policy will be developed surrounding plea negotiations and offers which would necessitate a careful review by the Elected Prosecutor before plea offers are made to defendants who commit crimes of domestic violence using a firearm. The policy would also include the development and support of an enhanced "*urgent victim notification system*" which would update and enhance the current tracking system. The urgent notification system would ensure protection orders are issued immediately and include improved judicial response to victims/survivors requesting those orders. Finally, the Yakima County Prosecutor's Office would strive to enhance its collection of data relating to domestic violence and correlate that data to determine trends and issues regarding intimate partner violence here in the city of Yakima. Enhanced partnerships between the Yakima County Prosecuting Attorney's office and community victim advocates would continue to include coordinating efforts to increase victim awareness, safety and understanding of the cycle of domestic violence. This will assist in identifying safety planning resources. Joseph Brusic, the current Elected Prosecutor or his designee will represent the County Prosecutor's Office.
- 4) **Yakima County Probation Department** will provide **a dedicated probation officer** to support victims of domestic violence and dating violence via the supervision of the offenders. The dedicated probation officer's caseload will consist solely of domestic violence cases from Yakima Municipal Court and will share probation-related information to the partners. YPD domestic violence reports will be scanned daily for new offenses. When a new offense is discovered, the probation officer will send a violation report to Yakima Municipal Court immediately. Additionally, Probation Services has designated a second probation officer as a back-up. To meet the needs of the Spanish speaking population, the backup probation officer shall be fluent in Spanish and will supervise the Spanish speaking only cases. Grant funds could be used to develop a domestic violence therapeutic court and/or to implement a domestic violence Moral Recognition Therapy (MRT) program. Many probation departments throughout Washington State have implemented DV MRT to improve access to domestic violence treatment. The high cost of domestic violence treatment is a barrier to many probationers supervised by Yakima Probation Services. DV MRT is facilitated by a probation officer who is trained and certified in MRT which reduces the out-of-pocket cost to the probationer significantly. Donald Loen, Administrative Supervisor, will be the lead representative for the Probation Department.

- 5) **YWCA of Yakima** will provide **education and services** to victims of domestic violence and dating violence including: healthy relationships education through our domestic violence education clinic; healthy relationships media campaign; information on services, education and safety planning on domestic violence for victims, both one on one and in groups; and domestic violence education for community groups. Funds from the grant would be used for YWCA staff to participate in Yakima's coordinated community response to domestic violence, participate and/or provide trainings, and toward community education on the coordinated response and victim services. Cheri Kilty, Executive Director, will be the lead representative for the YWCA.
- 6) **All Partners** will collaborate in the following manner: Yakima Police Department has been the coordinator for the DV Workgroup and will continue to facilitate these meetings and build on the work that has been doing via the technical assistance and resources that will be provided through this initiative. To increase public awareness of domestic violence, dating violence and stalking, the Partners will develop curriculum and offer domestic violence education and training to local high schools. The curriculum will also include a focus on violence in the home and intimate partner relationships of youth. These in-class lectures throughout the school year would be presented by a multi-disciplinary team from the partner agencies, and all training and education would be culturally specific. While each partner has specific roles (as outlined above), this MOU and initiative will solidify the collaborative efforts through common training, discussions with other sites and customized technical assistance for Yakima's needs relating to domestic violence, in particular as it relates to firearms as we know there is a strong association.

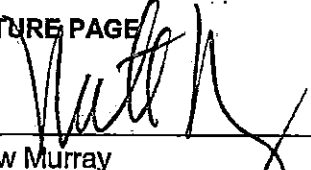
#### ***V) Timeline***

The roles and responsibilities described above are contingent on **Yakima Police Department** receiving funds requested for the project described in the OVV grant application. Responsibilities under this Memorandum of Understanding would coincide with the grant period, anticipated to be **10/1/2021** through **9/30/2024**.


#### ***VI) Commitment to Partnership***

- 1) The collaboration service area includes **the City of Yakima, Washington**.
- 2) The partners agree to collaborate and provide **coordinated response and effective services** to victims of **domestic and dating violence** pursuant to the program narrative of the grant application attached to this agreement.
- 3) Compensation for [non-lead] partners' contribution to this project will be provided as outlined in the attached OVV budget detail worksheet.
- 4) We, the undersigned have read and agree with this MOU. Further, we have reviewed the proposed project and approve it.


SIGNATURE PAGE

By   
Matthew Murray  
Chief, Yakima Police Department

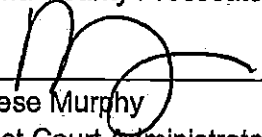
Date 9/10/21

By   
Sara Watkins  
City Attorney, City of Yakima

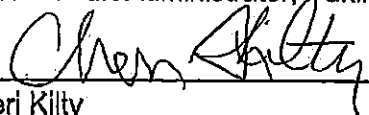
Date 9-10-21

By   
Joseph Brusic  
Yakima County Prosecutor

Date 09-10-2021

By   
Therese Murphy  
District Court Administrator, Yakima County District Court

Date 9/10/2021

By   
Cheri Kilty  
Executive Director, YWCA of Yakima

Date 9/10/2021

cc: Agencies and Interested Parties